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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/024,162 | 12/18/2001 | Katsumi Toyama | 450100-03682 | 6455 |
| 20999 | 7590 | 09/29/2006 | | |
| FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151 | | | EXAMINER PAPE, ZACHARY | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2835 | |

DATE MAILED: 09/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,162

Applicant(s)

TOYAMA ET AL.

Examiner

Zachary M. Pape

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☒ Claim(s) 4 and 6-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

The following detailed action is in response to the correspondence filed 8/8/2006.

Response to Arguments

1. Applicant's arguments, see pages 5-10, filed 8/8/2006, with respect to the rejection(s) of claim(s) 1-9 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, and in view of the newly added limitations, a new ground(s) of rejection is made in view of Chen, Iwata et al. and Grewe et al.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (US 5,305,182) in view of Iwata et al. (US 5,524,104).

With respect to claim 1, Chen teaches a memory card drive (Generally 10), comprising; a memory card drive body (10) configured to be inserted into a memory card drive slot of a personal computer (Column 1, Lines 62-64) and to connect to an external interface of the personal computer after insertion (Via the ribbon cable and connector as detailed in the present office action Fig 1 below); a memory interface (30)

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configured to allow the memory card drive to send and receive digital information to and from the personal computer; a plurality of memory card slots (14, 15) provided in said memory card drive body oriented in a planar array to accept a plurality of memory cards in the same loading orientation (See Chen Fig 1). Chen is silent as to a plurality of indicator LED's corresponding to the plurality of memory card slots. Iwata et al. teaches the conventionality of having a plurality of indicator LED's (38, 39) corresponding to a plurality of slots (See Fig 8a, see also Column 5, lines 42-46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Iwata et al. with that of Chen to provide a means of indicating slot/drive usage (See Claim 22).

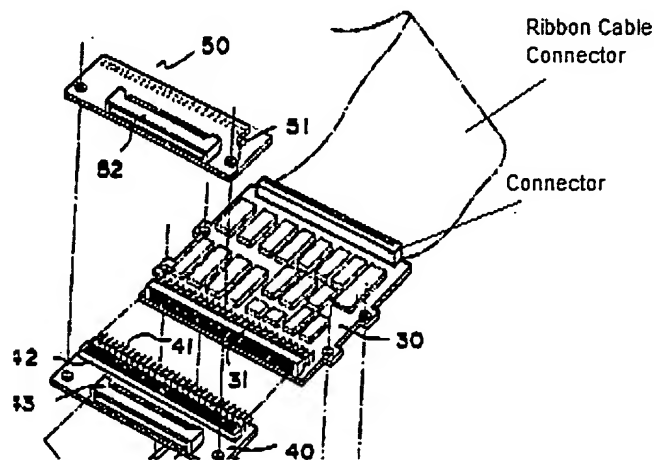


Fig 1

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Iwata et al. and further in view of Grewe et al. (US 5,625,608).

With respect to claim 2, Chen in view of Iwata et al. teach the limitations of claim 1 above but fails to teach that the slots are provided in a memory card tray that is loaded into and unloaded from said memory card drive body. Grewe et al. teaches the conventionality of loading and unloading memory cards from a drive body via a tray (See Fig 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Grewe et al. with that of Iwata et al. and Chen to provide access to all the memory cards within the drive at the same time (I.E. using a tray which holds the multiple memory cards will allow the user to access them all at the same time rather than to have to eject each individually as disclosed in Chen).

Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Grewe et al.

With respect to claim 3, Chen teaches a portable memory card drive (Generally 10) comprising; a portable memory card drive body (10) configured to be inserted into a portable memory card drive slot of a personal computer (Column 1, Lines 62-64) and to connect to an external interface of the personal computer after insertion (Via the ribbon cable and connector as detailed in the present office action Fig 1 above); a memory interface (30) configured to allow the memory card drive to send and receive digital information to and from the personal computer; a plurality of memory card slots (14, and 15) provided in said portable memory card drive body oriented in a planar array to accept a plurality of memory cards in the same loading orientation (See Fig 1). Chen is

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silent as to a memory card selector switch configured to select among the plurality of memory card slots. Grewe et al. teaches the conventionality of having a memory card selector switch configured to select among a plurality of memory card slots (Column 4, Lines 57-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Grewe et al. with that of Chen to provide a means of selecting among a plurality of memory cards (Column 4, Lines 59-60).

With respect to claim 5, Grewe et al. further teaches memory card slots provided in a memory card tray (20) that is loaded into and unloaded from said portable memory card drive body (See Fig 2).

Allowable Subject Matter

3. Claims 4, 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 4, 7-9, the allowability resides in the overall structure of the device as recited in dependent claim 4 and at least in part because claim 4 recites, "said portable memory card drive body includes a power supply"

The aforementioned limitations in combination with all remaining limitations of claims 3 and 4 are believed to render said claim 4 and all claims dependent therefrom (Claims 7-9) patentable over the art of record.

With respect to claim 6, the allowability resides in the overall structure of the device as recited in dependent claim 6 and at least in part because claim 6 recites, "an opening/closing cover pivotally attached to said portable memory card drive body"

The aforementioned limitations in combination with all remaining limitations of claims 3 and 6 are believed to render said claim 6 patentable over the art of record.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2003/0130043 further teaches a memory card tray.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ZMP



**LISA LEA-EDMONDS
PRIMARY EXAMINER**